

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ANDY LASHAWN FORTNER,

Plaintiff,

v.

LAKE COUNTY JAIL, et al.,

Defendants.


Case No. [25-cv-03367-HSG](#)

**ORDER OF DISMISSAL**

Plaintiff has filed a *pro se* action pursuant to 42 U.S.C. § 1983. On May 6, 2025, the Court dismissed the complaints filed in this action (Dkt. Nos. 1, 6) for failure to state a claim, and granted Plaintiff leave to file a second amended complaint. Dkt. No. 11. The Court ordered Plaintiff to file a second amended complaint by June 3, 2025, or face dismissal of this action. *Id.* The deadline has passed, and Plaintiff has not filed a second amended complaint. Accordingly, the Court **DISMISSES** this action for failure to state a claim. The dismissal is without prejudice to filing a motion to reopen, accompanied by a proposed second amended complaint that addresses the deficiencies identified in the Court's May 6, 2025 Order, and explaining why Plaintiff failed to timely file a second amended complaint. Judgment is entered in favor of Defendant and against Plaintiff. The Clerk is directed to close the file.

**IT IS SO ORDERED.**

Dated: 6/12/2025

  
HAYWOOD S. GILLIAM, JR.  
United States District Judge